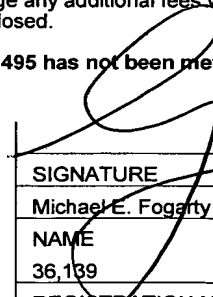


FORM PTO-1390 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE <b>TRANSMITTAL LETTER TO THE UNITED STATES          DESIGNATED/ELECTED OFFICE (DO/EO/US)          CONCERNING A FILING UNDER 35 U.S.C. 371</b>		ATTORNEY'S DOCKET NUMBER 43888-325  U.S. APPLIC. NO. (if known, see 37 CFR 1.5) Not yet assigned <b>10/506298</b>
INTERNATIONAL APPLICATION NO. PCT/JP03/01997	INTERNATIONAL FILING DATE February 24, 2003	PRIORITY DATE CLAIMED March 1, 2002
TITLE OF INVENTION POSITIVE ELECTRODE ACTIVE MATERIAL, PRODUCTION METHOD THEREOF AND NON-AQUEOUS ELECTROLYTE SECONDARY BATTERY		
APPLICANTS FOR DO/EO/US Tsutomu OHZUKU, Hiroshi YOSHIZAWA, Masatoshi NAGAYAMA and Hizuru KOSHINA		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371. 2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371. 3. <input type="checkbox"/> This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1). 4. <input type="checkbox"/> A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date. 5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) a. <input type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau). b. <input checked="" type="checkbox"/> has been transmitted by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US) 6. <input checked="" type="checkbox"/> A translation of the International Application into English (35 U.S.C. 371(c)(2)). 7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) a. <input type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau). b. <input type="checkbox"/> have been transmitted by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendment has NOT expired. d. <input checked="" type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). 10. <input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).		
Items 11. to 16. below concern other document(s) or information included:		
11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 12. <input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. <input type="checkbox"/> A FIRST preliminary amendment. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment. 14. <input type="checkbox"/> A substitute specification. 15. <input type="checkbox"/> A change of power of attorney and/or address letter. 16. <input checked="" type="checkbox"/> Other items or information. 1. International Search Report prepared by JPO 2. Front page of Published International Application. 3. PCT/IB/301,304,308 & PCT/RO/101		

U.S. APPLICATION NO. (If known, see 37 CFR 1.50) <b>10/506298</b> Not yet assigned		INTERNATIONAL APPLICATION NO. PCT/JP03/01997		ATTORNEY'S DOCKET NUMBER 43888-325								
				<b>CALCULATIONS</b>	PTO USE ONLY							
17. <input checked="" type="checkbox"/> The following fees are submitted:  <b>Basic National Fee (37 CFR 1.492(a)(1)-(5)):</b> Search Report has been prepared by the EPO or JPO <span style="float: right;">\$920.00</span>  International preliminary examination fee paid to USPTO (37 CFR 1.482) <span style="float: right;">\$730.00</span> No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2)) <span style="float: right;">\$770.00</span>  Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO <span style="float: right;">\$1,080.00</span>  International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4) <span style="float: right;">\$100.00</span>												
<b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>				\$920.00								
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$ 0.00								
Claims	Number Filed	Number Extra	Rate									
Total Claims	25 -20 =	5	x \$18.00	\$90.00								
Independent Claims	2 -3 =	0	x \$86.00	\$0.00								
Multiple dependent claim(s) (if applicable)			+ \$290.00	\$0.00								
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$1010.00								
Reduction by 1/2 for filing by small entity, if applicable. Verified Small Entity Statement must also be filed. (Note 37 CFR 1.9, 1.27, 1.28).				\$0.00								
<b>SUBTOTAL =</b>				\$1010.00								
Processing fee of \$130.00 for furnishing the English translation later than the <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$ 0.00								
<b>TOTAL NATIONAL FEE =</b>				\$1010.00								
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$ 40.00								
<b>TOTAL FEES ENCLOSED =</b>				\$1050.00								
				Amount to be: refunded	\$							
				charged	\$1050.00							
a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed. b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>500417</u> in the amount of \$ <u>1050.00</u> to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>500417</u> . A duplicate copy of this sheet is enclosed.												
<b>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed          and granted to restore the application to pending status.</b>												
SEND ALL CORRESPONDENCE TO:  Michael E. Fogarty McDERMOTT WILL & EMERY LLP 600 13 <sup>th</sup> Street, N.W. Washington, DC 20005-3096 (202) 756-8000 Facsimile (202) 756-8087												
<div style="display: flex; justify-content: space-between;"> <div style="width: 45%;">  </div> <div style="width: 50%;"> <table border="1" style="width:100%; border-collapse: collapse;"> <tr><td style="text-align: center;">SIGNATURE</td></tr> <tr><td style="text-align: center;">Michael E. Fogarty</td></tr> <tr><td style="text-align: center;">NAME</td></tr> <tr><td style="text-align: center;">36,139</td></tr> <tr><td style="text-align: center;">REGISTRATION NUMBER</td></tr> <tr><td style="text-align: center;">September 1, 2004</td></tr> <tr><td style="text-align: center;">DATE</td></tr> </table> </div> </div>						SIGNATURE	Michael E. Fogarty	NAME	36,139	REGISTRATION NUMBER	September 1, 2004	DATE
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